

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ZEITLIN,

Defendant.

23 Cr. 419 (LAK)

**DECLARATION OF ROBERT G. BERNHOFT**

I, Robert G. Bernhoft, hereby declare under penalty of perjury that:

1. I represent Richard Zeitlin in this matter, and hereby execute this Declaration in support of Defendant's Motion for Leave to File Documents under Seal.

2. Except as explicitly to the contrary, I have personal knowledge of the facts set forth in the Declaration and if called upon to testify could do so competently.

3. The proposed Document titled Defendant's Notice of Motion to Suppress Evidence Seized Under Search Warrants for a Residence and Office in the District of Nevada does not need to be redacted or filed under seal, but is attached hereto to provide the entire proposed filing in context.

4. The proposed Document titled Defendant's Memorandum in Support of His Motion to Suppress Evidence Seized Under Search Warrants for a Residence and Office in the District of Nevada is provided twice as an attachment to this motion. The first document is the proposed redacted copy, and the second document is the proposed unredacted copy. Both are filed under seal because the Government was unable to respond to my inquiry whether they consent to the proposed redactions. Although Judge Kaplan's procedures prefer the redacted

version be filed on the public docket, it is filed under seal to protect the information in the document in the event the Government believes additional redactions are appropriate.

5. The proposed Declaration of Robert G. Bernhoft filed in support of the suppression motion is only provided here to provide the entirety of the suppression motion in context.

6. Exhibit A in the suppression motion is a copy of the Indictment and need not be redacted.

7. Exhibits B and C are the two warrants at issue in the suppression motion and supporting application and affidavit. These documents are marked “Attorneys Eyes Only” and both should be filed under seal.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury the foregoing is true and correct to the best of my information, knowledge, and belief.

Dated: November 30, 2023.  
Austin, Texas

**THE BERNHOFT LAW FIRM, S.C.**  
Attorneys for Defendant Richard Zeitlin



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